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7                   **UNITED STATES DISTRICT COURT**  
8                   **DISTRICT OF NEVADA**  
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10 MEDTRAK VNG, INC.,

11                 Plaintiff,

Case No. 2:12-cv-00853-LDG (GWF)

12 v.

**DEFAULT JUDGMENT**

13 ACUNETX, INC., *et al.*,

14                 Defendants.

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16                 This matter having come before the Court on Plaintiff MedTrak VNG, Inc.'s Motion  
17 for Default Judgment against Defendant AcuNetx, Inc. (#58), and the Court having granted  
18 that motion, therefore,

19                 THE COURT **ORDERS AND ADJUDGES** that Plaintiff MedTrak VNG, Inc. recover  
20 from the Defendant AcuNetx, Inc. the amount of \$2,892,086.75 in damages; and that  
21 Plaintiff MedTrak VNG, Inc. recover from Defendant AcuNetx, Inc. the amount of  
22 \$130,124.57 in attorney's fees and costs;

23                 THE COURT FURTHER **PERMANENTLY ENJOINS** Defendant AcuNetx, Inc. and  
24 its officers, agents, servants, employees and all persons acting in concert or participation  
25 with AcuNetx, Inc. from:

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1. Making any representation that they have any ownership in, or rights to, the VNG Software, the VNG FDA 510(k) Registration (FDA 510(k) Number K925111) or any subsequent FDA 510(k) registration based thereon (including, without limitation FDA 510(k) Number 2028047 and 3009391819) and related intellectual property in Plaintiff's VNG device;
2. Making any representation that MedTrak does not own, or have rights to, the VNG Software, the FDA 510(k) registration (FDA 510(k) Number K925111) or any subsequent FDA 510(k) registration based thereon (e.g. FDA 510(k) 3009391819) and related intellectual property in Plaintiff's VNG device;
3. Engaging in any infringing conduct including without limitation, the manufacture, sale, distribution, marketing or offering of Plaintiff's VNG device or the copying distribution, or use of the VNG Software; and
4. Contacting any prior, current, or known potential clients, customers, users, vendors or distributors of the Plaintiff or Plaintiff's VNG devices in relation to the VNG Software or the VNG devices.

DATED this 2 day of March, 2014.

Lloyd D. George  
United States District Judge